



Attorney's Docket No.: 16163-015001 / AM100448

*SEFW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chopra *et al.*

Art Unit : 1652

Serial No. : 09/955,737

Examiner : David J. Steadman

Filed : September 19, 2001

Title : CRYSTAL STRUCTURE OF BACE AND USES THEREOF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

In response to the Notice of Non-Compliant Amendment dated May 9, 2005 (copy enclosed), attached herewith are 57 sheets of replacement drawings each labeled "Replacement Sheet" in accordance with 37 CFR 1.121(d).

It is understood that this perfects our Amendment filed on April 26, 2005, and that no additional papers or filing fees are required. Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 16163-015001.

Respectfully submitted,

Date: May 27, 2005

*Allyson Hatton*

Allyson R. Hatton, Ph.D.

Reg. No. 54,154

Fish & Richardson P.C.  
225 Franklin St.  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906  
21090397.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*5/27/05*

Date of Deposit

*[Signature]*

Signature

*Allyson Hatton*

Typed or Printed Name of Person Signing Certificate



UNITED STATES PATENT AND TRADEMARK OFFICE

16163-015001

SXD  
ARTH

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,737	09/19/2001	Rajiv Chopra	37174/10	9455

26161 7590 05/09/2005  
FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON, MA 02110

EXAMINER

STEADMAN, DAVID J

ART UNIT 1652 PAPER NUMBER

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed By Practice Systems	<i>Msp tucA (IMC)</i>
Action Code:	<i>5-9-5</i>
Base Date:	<i>5-9-5</i>
Due Date:	<i>6-9-5</i>
Deadline:	<i>11-9-5</i>
Initial:	<i>WAB</i>

Docketed By Billing Secretary	
Due Date:	
Deadline:	
Initials:	

RECEIVED

MAY 12 2005

FISH & RICHARDSON, P.C.  
BOSTON OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 P.O. Box 1450  
 ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment document filed on 4/28/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_
- 3. Amendments to the drawings: The Drawings should be labeled Replacement
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Gloria J. Hamzell  
 Legal Instruments Examiner (LIE)

571-272-0561  
 Telephone No.